



General Assembly

February Session, 2004

***Raised Bill No. 5564***

LCO No. 1933

\* \_\_\_\_\_HB05564HS\_\_\_\_\_041904\_\_\_\_\_\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT PROHIBITING THE PLACEMENT OF FEMALE JUVENILE  
OFFENDERS AT THE CONNECTICUT JUVENILE TRAINING SCHOOL.***

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. Subsections (j) and (k) of section 46b-140 of the general  
2 statutes are repealed and the following is substituted in lieu thereof  
3 (*Effective from passage*):

4 (j) Except as otherwise provided in this section, the court may order  
5 a child be (1) committed to the Department of Children and Families  
6 and be placed directly in a residential facility within this state and  
7 under contract with said department, or (2) committed to the  
8 Commissioner of Children and Families for placement by the  
9 commissioner, in said commissioner's discretion, (A) with respect to  
10 the juvenile offenders determined by the Department of Children and  
11 Families to be the highest risk, in the Connecticut Juvenile Training  
12 School, if the juvenile offender is a male, or [other] in another state  
13 facility, presumptively for a minimum period of twelve months, or (B)  
14 in a private residential or day treatment facility within or outside this  
15 state, or (C) on parole. The commissioner shall use a risk and needs  
16 assessment classification system to ensure that male children who are

17 in the highest risk level will be placed in the Connecticut Juvenile  
18 Training School.

19 [(k) Any female child committed to the Connecticut Juvenile  
20 Training School shall be separated from any contact with male  
21 children in said facility. Separation shall be accomplished through  
22 architectural means, through time-phasing of common use  
23 nonresidential areas and through policies and procedures. No program  
24 activities may be shared by female and male children in said facility.  
25 For the purposes of this subsection, "contact" includes any physical or  
26 sustained sight or sound contact; "sight contact" means clear visual  
27 contact between female and male children within close proximity to  
28 each other; and "sound contact" means direct oral communication  
29 between female and male children.]

30 (k) On or after the effective date of this section, no female child  
31 committed to the Department of Children and Families shall be placed  
32 in the Connecticut Juvenile Training School. Any female child placed  
33 in the Connecticut Juvenile Training School before the effective date of  
34 this section shall be transferred to another appropriate facility not later  
35 than ninety days after the effective date of this section.

36 Sec. 2. Section 7-63 of the general statutes is repealed and the  
37 following is substituted in lieu thereof (*Effective from passage*):

38 When any [boy or girl] child committed to the Connecticut Juvenile  
39 Training School dies, the superintendent shall cause immediate notice  
40 thereof to be sent by mail to the registrar of vital statistics of the town  
41 from which such [boy or girl] child was so committed.

42 Sec. 3. Section 17a-12 of the general statutes is repealed and the  
43 following is substituted in lieu thereof (*Effective from passage*):

44 (a) When the commissioner, or the commissioner's designee,  
45 determines that a change of program is in the best interest of any child  
46 or youth committed or transferred to the department, the

47 commissioner or the commissioner's designee, may transfer such  
48 person to any appropriate resource or program administered by or  
49 available to the department, to any other state department or agency,  
50 or to any private agency or organization within or without the state  
51 under contract with the department; provided no child or youth  
52 voluntarily admitted to the department under section 17a-11, as  
53 amended, shall be placed or subsequently transferred to the  
54 Connecticut Juvenile Training School; and further provided no transfer  
55 shall be made to any institution, hospital or facility under the  
56 jurisdiction of the Department of Correction, except as authorized by  
57 section 18-87, as amended, unless it is so ordered by the Superior  
58 Court after a hearing. When, in the opinion of the commissioner, or the  
59 commissioner's designee, a person fourteen years of age or older is  
60 dangerous to himself or herself or others or cannot be safely held at the  
61 Connecticut Juvenile Training School, if a male, or at any other facility  
62 within the state available to the Commissioner of Children and  
63 Families, the commissioner, or the commissioner's designee, may  
64 request an immediate hearing before the Superior Court on the docket  
65 for juvenile matters where such person was originally committed to  
66 determine whether such person shall be transferred to the John R.  
67 Manson Youth Institution, Cheshire, if a male, or the Connecticut  
68 Correctional Institution, Niantic, if a female. The court shall, within  
69 three days of the hearing, make such determination. If the court orders  
70 such transfer, the transfer shall be reviewed by the court every six  
71 months thereafter to determine whether it should be continued or  
72 terminated, unless the commissioner has already exercised the powers  
73 granted to the commissioner under section 17a-13 by removing such  
74 person from the John R. Manson Youth Institution, Cheshire or the  
75 Connecticut Correctional Institution, Niantic.

76 (b) Unless ordered by the Superior Court at the time of  
77 commitment, no child or youth committed to the commissioner shall  
78 be placed in or transferred to a state-operated residential mental health  
79 facility under the jurisdiction of the commissioner without a hearing  
80 before the commissioner or the commissioner's designee. Such hearing

81 shall be conducted in accordance with the provisions of chapter 54.

82 (c) Notwithstanding the provisions of subsection (b) of this section,  
83 (1) any delinquent child, if a male, may be placed at any time in the  
84 Connecticut Juvenile Training School, and (2) the commissioner may  
85 transfer any child or youth committed to the commissioner to any  
86 institution, hospital or facility for mentally ill children under the  
87 commissioner's jurisdiction for a period not to exceed fifteen days if  
88 the need for such emergency treatment is certified by a psychiatrist  
89 licensed to practice medicine by the state.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>
Sec. 3	<i>from passage</i>

**JUD**      *Joint Favorable*

**HS**      *Joint Favorable*